

Message Text

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ORIGIN L-02

INFO OCT-01 EUR-12 EA-06 IO-10 ISO-00 COA-01 DLOS-03 CG-00

DOT-00 OES-03 EB-07 DODE-00 CIAE-00 PM-03 H-01

INR-07 NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15

USIA-06 AID-05 CEQ-01 COME-00 EPA-01 NSF-01 FEA-01

FMC-01 SSO-00 /097 R

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P R 082042Z FEB 75

FM SECSTATE WASHDC

TO AMEMBASSY SINGAPORE PRIORITY

AMEMBASSY JAKARTA

AMEMBASSY KUALA LUMPUR

AMEMBASSY TOKYO

INFO USMISSION USUN NEW YORK

AMEMBASSY LONDON

C O N F I D E N T I A L STATE 029561

E.O. 11652: GDS

TAGS: PLOS, EWWT, IMCO

SUBJECT: POSSIBLE ACTION REGARDING GROUNDING OF
JAPANESE TANKER SHOWA MARU

REFS: A) STATE 11235, B) JAKARTA 1134; C) KUALA LUMPUR
533; D) SINGAPORE 428; E) TOKYO 927; F) TOKYO 1289

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G) KUALA LUMPUR 646

1. SUMMARY: EMBASSIES JAKARTA, KUALA LUMPUR AND SINGAPORE REQUESTED TO MAKE APPROACH HOST GOVERNMENTS EARLY NEXT WEEK TO ENCOURAGE THEM TO USE INTERNATIONAL APPROACH TO ESTABLISH REGULATIONS FOR THE STRAITS OF MALACCA AND SINGAPORE. EMBASSY TOKYO REQUESTED INFORM GOJ OF U.S. ACTION AND DETERMINE IF THEY HAVE ANY MAJOR DIFFICULTIES. END SUMMARY.

2. FOR SINGAPORE, JAKARTA AND KUALA LIMPUR: EMBASSIES REQUESTED APPROACH HOST GOVERNMENTS TUESDAY, FEB. 11, TO MAKE FOLLOWING POINTS. U.S. RECOGNIZES THAT SPECIAL CHARACTERISTICS OF STRAITS OF MALACCA AND SINGAPORE REQUIRE SPECIAL INTERNATIONAL REGULATIONS, POSSIBLY INCLUDING DRAFT LIMITATIONS, TO ENSURE SAFE NAVIGATION AND PROTECTION OF ENVIRONMENT. U.S. WOULD ENCOURAGE THE THREE COASTAL STATES TO DEVELOP REGULATIONS NEEDED AND TO SUBMIT THEM TO IMCO FOR CONSIDERATION FOR ADOPTION. IF COASTAL STATES FEEL CONSULTATIONS WITH MARITIME USER STATES WOULD BE USEFUL PRIOR TO SUBMISSION TO IMCO, US WOULD BE WILLING TO COOPERATE AND TO SUPPORT APPROPRIATE REASONABLE REGULATIONS. US BELIEVES

IMCO HAS REQUISITE CHARTER AND EXPERTISE TO CONSIDER AND TREAT THE MATTER. IN FACT, SUBCOMMITTEE ON SAFETY OF NAVIGATION OF MARITIME SAFETY COMMITTEE HAS ALREADY GIVEN SOME CONSIDERATION TO PROBLEM. FULL PARTICIPATION IN THIS SUBCOMMITTEE IS OPEN TO ALL IMCO MEMBERS. U.S. VIEW IS THAT COASTAL STATES SHOULD INITIATE INTERNATIONAL ACTION AND PLAY MAJOR ROLE IN DEVELOPMENT OF SPECIAL REGULATIONS WHICH SHOULD BE IMPLEMENTED ONLY AFTER ADOPTION IN IMCO. U.S. BELIEVES THREE COASTAL STATES SHOULD TAKE INITIATIVE IN IMCO AND DOES NOT INTEND TO MOVE INDEPENDENTLY BUT WOULD HOPE TO ASSIST THEM IN ALL APPROPRIATE WAYS.

3. WITH REGARD PARA 3 REF (B), DEPT AGREES APPROACH SHOULD BE ORAL AND GENERAL IN NATURE. EMBASSIES MAY, AS APPROPRIATE MAKE IT CLEAR THAT U.S. IS HOPING TO BE ABLE TO ASSIST IN FINDING REASONABLE SOLUTION ON TECHNICAL LEVEL TO SAFETY AND POLLUTION PROBLEMS IN THE STRAITS. FYI: EMBASSIES SHOULD BEAR IN MIND THAT TYPE OF APPROACH BEING SUGGESTED IS CONSISTENT WITH U.S. LOS POSITION ON CONFIDENTIAL

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STRAITS AND ARCHIPELAGIC REGIMES AND THAT ONE PURPOSE OF APPROACH AT THIS TIME IS TO HEAD OFF POSSIBLE UNILATERAL ACTIONS WHICH WOULD MAKE AGREEMENT ON STRAITS AND ARCHIPELAGOES MORE DIFFICULT. THUS, WHILE DEMARCHE NEED NOT MAKE REFERENCE TO LOS MATTERS OR ARCHIPELAGOS NEGOTIATIONS, IT MUST BE DONE IN A MANNER WHICH WILL NOT IMPLY ANY SOFTENING OF U.S. POSITION ON STRAITS REGIME OR CHANGE OF POSITION IN ARCHIPELAGOES-STRAITS NEGOTIATIONS.

END FYI.

4. FOR TOKYO: DEPT. AGREES WITH PARA 4 REF (B) ASSESSMENT THAT JAPANESE APPROACH WOULD BE HELPFUL ONLY IF OFFERING SPECIFIC SUPPORT FOR ABOVE SUGGESTED PROCEDURE. EMBASSY SHOULD INFORM GOJ OF APPROACH BEING MADE TO COASTAL STATES AND ARGUMENTS SET FORTH ABOVE. EMBASSY SHOULD INQUIRE WHETHER GOJ WOULD HAVE MAJOR DIFFICULTIES WITH APPROACH AND INFORM DEPT. AND OTHER ACTION ADDRESSEES BY COB MONDAY, FEB. 10, YOUR TIME. IN ADDITION, EMBASSY SHOULD INFORM GOJ OF ANSWERS SET OUT BELOW IN RESPONSE TO REF (E). KUBOTA OF JAPANESE EMBASSY CALLED ON LEITZELL OF LEGAL ADVISER'S OFFICE AND DEMING OF DESK ON JANUARY 28 TO DISCUSS SAME QUESTIONS.

5. ANSWERS ARE KEYED TO REFTEL:

A. NO

B. U.S. APPROACH IS TO ENCOURAGE COASTAL STATES TO TAKE PROBLEM TO IMCO FOR RESOLUTION. WHILE APPROACH IS CONSISTENT WITH U.S. LOS OBJECTIVES, WE DO NOT INTEND TO SPECIFICALLY RAISE LOS. IMCO SETTLEMENT OF ISSUE COULD HAVE POSITIVE EFFECT ON LOS STRAITS NEGOTIATION.

C. ANSWER TO BOTH IS NO. U.S. BELIEVES ALL SPECIAL REGULATIONS MUST BE IMPLEMENTED THROUGH INTERNATIONAL PROCESS. ON SECOND QUESTION WE BELIEVE SUCH DISTINCTION WOULD BE STRONGLY TO DETRIMENT OF U.S. INTERESTS AND WE WILL CONTINUE TO OPPOSE IT.

D. ALL MEASURES SHOULD BE AGREED THROUGH IMCO. WE BELIEVE SOME IMMEDIATE INTERIM ACTION COULD BE USEFUL WHILE MORE COMPREHENSIVE TECHNICAL SOLUTION BEING DEVELOPED. WE DO NOT INTEND TO GO INTO SUCH DETAILS AT THIS
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TIME IN APPROACHING COASTAL STATES.

E. SUBMISSION BY COASTAL STATES TO NEXT SESSION OF SUBCOMMITTEE ON SAFETY OF NAVIGATION OF MARITIME SAFETY COMMITTEE IN JULY WOULD SEEM MOST APPROPRIATE SINCE IT CAN REPORT IN SPECIFIC TERMS TO BOTH MSC AND TO MARINE ENVIRONMENT PROTECTION COMMITTEE. MEPC COULD CONSIDER IN GENERAL TERMS AT ITS NEXT SESSION IN JUNE. METHOD OF HANDLING HOWEVER, SHOULD BE DECIDED BY COASTAL STATES CONCERNED. U.S. WILL NOT INITIATE ACTION ON THE MATTER AS SOLAS CONVENTION RECOGNIZES PRIMARY QTE GOVERNMENTS CONCERNED UNQTE IN INITIATING ACTION. U.S. HOPES JAPAN WOULD COOPERATE IF REQUESTED BY COASTAL STATES IN DEVELOPMENT OF ANY PROPOSAL.

F. APPROPRIATE OVERALL OBJECTIVE WOULD BE COMPREHENSIVE SCHEME FOR MALACCA AND SINGAPORE STRAITS. HOWEVER, U.S. WILLING TO CONSIDER INDIVIDUAL ISSUES AS PUT FORWARD BY COASTAL STATES.

G. U.S. WOULD NOT, OF COURSE, RECOMMEND USE OF UNSAFE ALTERNATIVE ROUTES. THESE ISSUES WOULD BE CONSIDERED IN DEVELOPMENT OF REGULATIONS.

H. CHARACTERISTICS OF THE STRAITS AS A WHOLE INCLUDING ALL RELEVANT FACTORS SUCH AS DEPTHS, WIDTHS OF CHANNELS, TIDES, PREVAILING WEATHER CONDITIONS, AIDS TO NAVIGATION ETC.

I. U.S. FEELS COASTAL STATES SHOULD TAKE INITIATIVE TO DEVELOP PROPOSED REGULATIONS TO SUBMIT TO IMCO FOR CONSIDERATION IN APPROPRIATE IMCO FORA WITH IMPLEMENTATION OF INTERNATIONALLY ADOPTED REGULATIONS AS THE ULTIMATE GOAL. KISSINGER

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